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Attorney Docket No: CPMC-010/00US

PATENT

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PROGNOSTIC METHODS FOR BREAST CANCER

the specification of which:

☐ is attached hereto.

☒ was filed on March 23, 2001, and identified as Attorney Docket No. CPMC-010/00US.

☐ was filed on March 23, 2001, as Application Serial No. .

and

☐ the amendment(s) of which were filed on .

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)
(Country) (Number) (Day/Month/Year Filed)

Priority Claimed (Yes/No)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

(Application Number)

(Filing Date)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Appl. Ser. No.

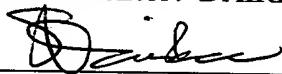
Filing Date

Status (Pat'd./Pend./Aband.)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: DAIRKEE, Shanaz H.

Inventor's signature



Date

April 9th, 2001

Residence:

5 Culver Court
Orinda, CA 94563

Citizen of:

U.S.

Post Office Address:

same as above.

Full name of sole or second inventor: LI, Zheng

Inventor's signature



Date

4/10/01

Residence:

669 Dartmoor Lane, #350
Hayward, CA 94544

Citizen of:

People's Republic of China

Post Office Address:

same as above.



Attorney Docket No: CPMC-010/00US

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ASSIGNMENT

Whereas,

SHANAZ H. DAIRKEE residing at 5 Culver Court, Orinda, California 94563;
ZHENG LI residing at 669 Dartmoor Lane, #350, Hayward, California 94544;
(hereinafter referred to individually and collectively as "Inventor") have made an invention relating to certain new and useful improvements in:

PROGNOSTIC METHODS FOR BREAST CANCER

and executed therefor an Application for Letters Patent of the United States and

- ☐ having an oath or declaration executed on even date herewith;
- ☒ bearing Serial No. 09/816,460 and filed on March 23, 2001
- ☐ issued as a Patent No. ____ on

Whereas, California Pacific Medical Center (hereinafter "Assignee"), a corporation of California, and having a principal place of business at 3801 Sacramento Street, San Francisco, CA 94118, is desirous of acquiring the entire right, title, and interest in and to said invention, said Application, and the Letters Patent to be obtained therefor:

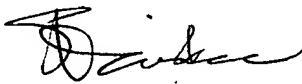
Now, therefore, for and in consideration of One Dollar and other good and valuable considerations, to Inventor in hand paid, the receipt and sufficiency whereof are hereby acknowledged, Inventor has sold, assigned, and set over and by these presents does hereby sell, assign, and set over unto Assignee and Assignee's legal representatives, successors and assigns, the entire right, title, and interest in and to said invention, said Application and any other application, domestic or foreign, that claims said invention, as well as any Letters Patent, domestic or foreign, that may or shall issue thereon; and Inventor does hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to the above-mentioned Assignee agreeably with the terms of this Assignment.

The terms "Application" and "Application for Letters Patent" as used herein include both provisional and non-provisional applications.

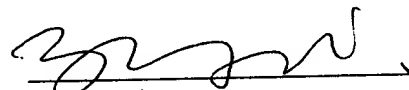
Inventor hereby authorizes the above-mentioned Assignee or its legal representative to insert in this instrument the filing date and serial number of said Application or any other information that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Upon said consideration, **Inventor** conveys to Assignee the right to make application in its own behalf for protection of said invention in countries foreign to the United States and where expedient to claim under the International Convention or other international arrangement for any such application the date of the United States application (or other application if any there be) in priority to other applications; and **Inventor does hereby covenant** and agree with Assignee that Inventor will not execute any writing or do any act whatsoever conflicting with these presents, and that Inventor will at any time upon request, without further or additional consideration, but at the expense of Assignee, execute such additional assignments and other writings and do such additional acts as Assignee may deem necessary or desirable to perfect Assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuation, continuation-in-part, renewal, reexamined, reissued or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or chose in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind and inure to the benefit of the assigns and legal representatives of both parties.

Date: April 9th, 2001

By: 
Shanaz H. Dairkee

Date: 4/10/01

By: 
Zheng Li

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*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

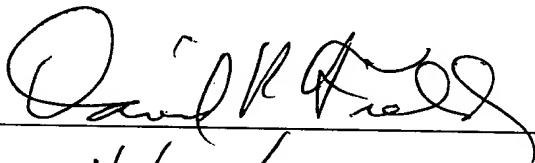
Name: _____
Address: _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Signature



Date

4/26/01

Name of Person Signing

David R. Fielder

Title of person other than owner

Vice President Research

Address of person signing

2340 Clay Street #537, San Francisco, CA 94115
